

AMENDED IN SENATE JUNE 16, 2015

AMENDED IN ASSEMBLY MAY 5, 2015

AMENDED IN ASSEMBLY APRIL 20, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1482**

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**Introduced by Assembly Member Gordon**  
**(Coauthors: Assembly Members Bloom, Rendon, and Mark Stone)**

February 27, 2015

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An act to amend Section 75125 of, and to add Part 3.7 (commencing with Section 71150) to Division 34 of, the Public Resources Code, relating to climate change.

LEGISLATIVE COUNSEL'S DIGEST

AB 1482, as amended, Gordon. Climate adaptation.

Existing law establishes the Natural Resources Agency, comprised of departments, boards, conservancies, and commissions responsible for the restoration, protection, and management of the state's natural and cultural resources.

Existing law establishes the Strategic Growth Council in state government and assigns to the council certain duties, including providing, funding, and distributing data and information to local governments and regional agencies that will assist in the development and planning of sustainable communities.

This bill would require *the agency, by July 1, 2017, and every 3 years thereafter, to update the state's climate adaptation strategy, as provided. The bill would require* the agency, in coordination with the council, to address the impacts of climate change and climate adaptation by reviewing and coordinating existing grants and programs to maximize

specified objectives, including, among others, establishing policy, guidelines, and guidance at the state level to inform planning decisions and ensuring that state investments consider climate change impacts, as well as promote the use of natural ~~systems~~, *systems and natural infrastructure*, whenever feasible, when developing physical infrastructure to address adaptation. *The bill would require the Office of Planning and Research, by July 1, 2019, to update the state's Five-Year Infrastructure Plan to take current and future climate impacts into account in all infrastructure projects.*

This bill also would expand the duties of the council to include *aiding the Natural Resources Agency in* overseeing and coordinating state agency actions to adapt to climate change and identifying and pursuing opportunities for state agencies to collaborate with federal or local agencies in their climate adaptation efforts.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) California's climate is changing, posing an escalated threat
- 4 to public health, the environment, *the economy*, and public and
- 5 private property in the state. The increasing frequency of extreme
- 6 weather events, *including floods and heat waves, fires*, rising sea
- 7 levels, and changes in hydrology, including diminishing ~~snowpack~~,  
8 *snowpacks and more frequent droughts*, among other climate
- 9 change impacts, will touch every part of residents' lives in the next
- 10 century and beyond. Planning appropriately for these impacts will
- 11 help us be better prepared for the future.
- 12 (b) The impacts of climate change, including longer droughts,
- 13 extended floods, prolonged fire seasons with larger and more
- 14 intense fires, heat waves, and sea level rise, are already creating
- 15 challenges for public health and safety and causing destructive
- 16 property damage.
- 17 (c) ~~Climate changes pose~~ *change poses* a threat not just to the
- 18 lives and health of residents but *also to the state's economy and*
- 19 *to the financial health of our state and local governments.*
- 20 (d) According to the Natural Resources Agency's report,
- 21 "Safeguarding California: Reducing Climate Risk," state-of-the-art

1 modeling shows that a single extreme winter storm in California  
2 could cost on the order of \$725,000,000,000, including total direct  
3 property losses of nearly \$400,000,000,000 and devastating impacts  
4 to residents, the economy, and natural resources.

5 (e) Adapting to climate ~~change~~ *change*, in addition to reducing  
6 the impacts of climate change on California's natural resources  
7 and ~~infrastructure~~ *infrastructure*, is essential to protecting the  
8 state's environment and economy over time and will require  
9 coordination across all state departments and agencies.

10 (f) Given the potential impacts and the long-term nature of  
11 effective planning, California needs to take action now.

12 SEC. 2. Part 3.7 (commencing with Section 71150) is added  
13 to Division 34 of the Public Resources Code, to read:

14  
15 PART 3.7. CLIMATE CHANGE AND CLIMATE  
16 ADAPTATION  
17

18 71150. For purposes of this part, the following terms have the  
19 following meanings:

20 (a) "Agency" means the Natural Resources Agency.

21 (b) "Council" means the Strategic Growth Council.

22 71152. It is the intent of the Legislature to prioritize the state's  
23 response to the impacts resulting from climate change by ensuring  
24 all state departments and agencies prepare for and are ready to  
25 respond to the impacts of climate change, such as extreme weather  
26 events, the urban heat island effect, habitat loss, wildfire, sea-level  
27 rise, and drought. It also is the intent of the Legislature that the  
28 agency consider developing policies to address the impacts of  
29 climate change and climate adaptation with a focus on people,  
30 places, and water and that actions taken to address climate  
31 adaptation should be consistent with the Safeguarding California  
32 Plan.

33 71153. (a) *By July 1, 2017, and every three years thereafter,*  
34 *the agency shall update the state's climate adaptation strategy,*  
35 *the Safeguarding California Plan. As part of the update, the agency*  
36 *shall do all of the following:*

37 (1) *Identify vulnerabilities to climate change by sector and*  
38 *regions, including, at a minimum, the following sectors:*

39 (A) *Water.*

40 (B) *Energy.*

1 (C) *Transportation.*

2 (D) *Public health.*

3 (E) *Agriculture.*

4 (F) *Emergency services.*

5 (G) *Forestry.*

6 (H) *Biodiversity and habitat.*

7 (I) *Ocean and coastal resources.*

8 (2) *Identify priority actions needed to reduce risks in those*  
9 *sectors.*

10 (3) *Identify a lead agency or group of agencies to lead*  
11 *adaptation efforts in each sector and ensure the provisions of*  
12 *Safeguarding California Plan are implemented.*

13 (4) *Report to the Legislature, pursuant to Section 9795 of the*  
14 *Government Code, on actions taken to implement the Safeguarding*  
15 *California Plan.*

16 (b) *By July 1, 2019, the Office of Planning and Research shall*  
17 *update the state's Five-Year Infrastructure Plan to take current*  
18 *and future climate change impacts into account in all infrastructure*  
19 *projects.*

20 71154. To address the impacts of climate change and climate  
21 adaptation, the agency, in coordination with the council, shall  
22 review and coordinate existing grants and programs to maximize  
23 the following objectives:

24 (a) Educating the public about the consequences of climate  
25 change, such as sea-level rise, extreme weather events, the urban  
26 heat island effect, habitat loss, wildfire, and drought.

27 (b) Ensuring there is a continued repository for scientific data  
28 on climate change and climate adaptation in the state in order to  
29 facilitate educated state and local policy ~~decisions~~. *decisions and*  
30 *to help identify primary risks from climate change to residents,*  
31 *property, communities, and natural systems across the state.*

32 (c) Establishing policy, guidelines, and guidance at the state  
33 ~~level level~~, *through implementation of the Safeguarding California*  
34 *Plan*, to inform planning decisions and ensure that state investments  
35 consider climate change impacts, as well as promote the use of  
36 ~~natural systems~~, *systems and natural infrastructure*, whenever  
37 feasible, when developing physical infrastructure to address  
38 adaptation.

39 (d) Encouraging regional collaborative planning efforts to  
40 address regional climate change impacts and adaptation strategies.

1 (e) Promoting a water supply, delivery, and capture system that  
2 is coordinated and can withstand a multiyear drought scenario.  
3 Establishing both drought preparation programs, which will help  
4 create sustainable water systems in the future, and immediate  
5 drought response programs, which will reduce water demand or  
6 increase supply within one to five years of any declared drought.

7 (f) Building resilient communities by developing urban greening  
8 projects that reduce air pollution and heat reflection in urban areas  
9 and create livable, sustainable communities in urban cores to  
10 promote infill development and reduce vehicle miles traveled.

11 (g) Protecting and enhancing ~~habitat and~~ *habitat*, species  
12 ~~strongholds~~ *strongholds, and wildlife corridors* that are critical to  
13 the preservation of species that are at risk from the consequences  
14 of climate change.

15 71156. For the purposes of implementing the objectives of this  
16 part, the agency, to the extent feasible and in coordination with  
17 the council, shall identify and coordinate opportunities among its  
18 departments in expending moneys from all of the following:

19 (a) The Greenhouse Gas Reduction Fund, created pursuant to  
20 Section 16428.8 of the Government Code.

21 (b) The Water Quality, Supply, and Infrastructure Improvement  
22 Act of 2014, approved by the voters as Proposition 1 at the  
23 November 4, 2014, statewide general election.

24 (c) Other state funds.

25 71158. ~~The agency, in coordination with the council,~~ *agency*  
26 shall assess and coordinate across all state departments and  
27 agencies to identify opportunities that increase the ability for state  
28 and local infrastructure, people, and habitat and wildlife to adapt  
29 to the impacts of climate change.

30 SEC. 3. Section 75125 of the Public Resources Code is  
31 amended to read:

32 75125. The council shall do all of the following:

33 (a) Identify and review activities and funding programs of  
34 member state agencies that may be coordinated to improve air and  
35 water quality, improve natural resource protection, increase the  
36 availability of affordable housing, improve transportation, meet  
37 the goals of the California Global Warming Solutions Act of 2006  
38 (Division 25.5 (commencing with Section 38500) of the Health  
39 and Safety Code), encourage sustainable land use planning, and  
40 revitalize urban and community centers in a sustainable manner.

1 At a minimum, the council shall review and comment on the  
2 five-year infrastructure plan developed pursuant to Article 2  
3 (commencing with Section 13100) of Chapter 2 of Part 3 of  
4 Division 3 of Title 2 of the Government Code and the State  
5 Environmental Goals and Policy Report developed pursuant to  
6 Section 65041 of the Government Code.

7 (b) Recommend policies and investment strategies and priorities  
8 to the Governor, the Legislature, and to appropriate state agencies  
9 to encourage the development of sustainable communities, such  
10 as those communities that promote equity, strengthen the economy,  
11 protect the environment, and promote public health and safety,  
12 consistent with subdivisions (a) and (c) of Section 75065.

13 (c) Provide, fund, and distribute data and information to local  
14 governments and regional agencies that will assist in developing  
15 and planning sustainable communities.

16 (d) Manage and award grants and loans to support the planning  
17 and development of sustainable communities, pursuant to Sections  
18 75127, 75128, and 75129. To implement this subdivision, the  
19 council may do all of the following:

20 (1) Develop guidelines for awarding financial assistance,  
21 including criteria for eligibility and additional consideration.

22 (2) Develop criteria for determining the amount of financial  
23 assistance to be awarded. The council shall award a revolving loan  
24 to an applicant for a planning project, unless the council determines  
25 that the applicant lacks the fiscal capacity to carry out the project  
26 without a grant. The council may establish criteria that would allow  
27 the applicant to illustrate an ongoing commitment of financial  
28 resources to ensure the completion of the proposed plan or project.

29 (3) Provide for payments of interest on loans made pursuant to  
30 this article. The rate of interest shall not exceed the rate earned by  
31 the Pooled Money Investment Board.

32 (4) Provide for the time period for repaying a loan made  
33 pursuant to this article.

34 (5) Provide for the recovery of funds from an applicant that fails  
35 to complete the project for which financial assistance was awarded.  
36 The council shall direct the Controller to recover funds by any  
37 available means.

38 (6) Provide technical assistance for application preparation.

39 (7) Designate a state agency or department to administer  
40 technical and financial assistance programs for the disbursing of

1 grants and loans to support the planning and development of  
2 sustainable communities, pursuant to Sections 75127, 75128, and  
3 75129.

4 (e) Provide an annual report to the Legislature that shall include,  
5 but need not be limited to, all of the following:

6 (1) A list of applicants for financial assistance.

7 (2) Identification of which applications were approved.

8 (3) The amounts awarded for each approved application.

9 (4) The remaining balance of available funds.

10 (5) A report on the proposed or ongoing management of each  
11 funded project.

12 (6) Any additional minimum requirements and priorities for a  
13 project or plan proposed in a grant or loan application developed  
14 and adopted by the council pursuant to subdivision (c) of Section  
15 75126.

16 (f) ~~Oversee and coordinate~~ *Aid the Natural Resources Agency*  
17 *in overseeing and coordinating* state agency actions to adapt to  
18 climate change.

19 (g) ~~Identify and pursue~~ *Aid the Natural Resources Agency in*  
20 *identifying and pursuing* opportunities for state agencies to  
21 collaborate with federal or local agencies in their climate adaptation  
22 efforts.